

Worksheet
Determination of NEPA Adequacy (DNA)
U.S. Department of the Interior
Bureau of Land Management

Project Lead: Nicole Cutler

Field Office: Sierra Front Field Office

Lead Office: Sierra Front Field Office

Case File/Project Number: N/A

NEPA Number: DOI-BLM-NV-C020-2014-0030-DNA

Project Name: Winters Ranch Weed Treatment

Applicant Name: BLM

Project Location (County, Township/Range/Section[s]): Washoe County, T17N, R19E, Sec 26 & 35.

A. Describe the Proposed Action and any applicable mitigation measures:

The purpose of this Proposed Action is to treat small patches less than one acre of the invasive weed, perennial pepperweed (*Lepidium latifolium*), aka tall whitetop, with herbicide 2,4-D, in order to reduce identified patch sizes to zero. Application of herbicides would occur with use of backpack sprayer while on foot; motorized vehicles would remain on existing roads. Follow up applications, as a result of monitoring, would occur until the goal is met. The project area is less than two acres of public lands. The effective period for herbicide treatments is between March and October. Based on monitoring after the treatments, additional re-application of herbicides may be necessary to effectively eliminate the weed. The life of the approved Pesticide Use Proposal is three years and may be renewed as needed to address the weeds.

B. Land Use Plan (LUP) Conformance:

The Proposed Action is in conformance within the applicable LUP because it is specifically provided for in the following LUP sections:

The Carson City Field Office Consolidated Resource Management Plan (CRMP), page LSG-8 states: "Application of herbicides...would be in accordance with procedures established in Bureau Manual 9222...to ensure non-impairment of other than target species."

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the Proposed Action:

Winters Ranch Management Plan (WRMP) EA 2011 (DOI-BLM-NV-C020-2009-0001-EA), addresses Management Actions, including: Point 15. "Prevent or control infestations of noxious weeds in accordance with the Carson City Field Office Noxious Weed Treatment Plan (2008a) or subsequent updates..." and "Explore opportunities for weed management partnerships with the

Washoe-Pleasant Valley Cooperative Weed Management Area [WMA], Scripps WMA, Washoe County, Nevada Department of Transportation, and local homeowners.”

The application of herbicides would be in compliance with Informational Bulletin No. 2014-069 and the *Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States Programmatic Environmental Impact Statement (PEIS) and Record of Decision* (BLM 2007), which is hereby incorporated by reference.

Standard Operating Procedures.

The following Standard Operating Procedures (SOPs) would be followed during treatments, in addition to others described in Appendix B of the PEIS:

- Conduct a site survey prior to treatment in a proposed area documenting areas of concern including waterways, wilderness study areas, private property, cultural sites or the presence of sensitive species/habitat;
- Determine the efficacy of a product on a target weed species through manufacturer, government, scientific and user testimony;
- Ensure the product is labeled for the targeted weed and/or project site; consider the rate of application and weigh product labeling instructions and restrictions against site-specific variables;
- Use chemicals authorized by BLM pesticide use proposals;
- Contact private land owners, through written notice or by phone, with property in the vicinity of the proposed treatment unit;
- The BLM or contracted applicators would conduct pesticide handling training and risk management analysis for applicators prior to project implementation;
- Verify treatments are conducted or supervised by BLM Certified Pesticide Applicators;
- Maintain and frequently update all appropriate product labels and Material Safety Data Sheets;
- Use GPS/GIS technology to map and estimate size of infestation and treatment unit;
- Conduct, evaluate and post-treatment monitor project through reporting; and
- Complete a “lessons learned” evaluation following each treatment session.

The PEIS on pages 4-27 through 4-32 discusses adverse and beneficial effects to riparian areas with use of herbicide treatments. Controlling invasive weed species at a small scale has less associated risk to resources than larger areas of invasive weed species.

D. NEPA Adequacy Criteria.

1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in existing NEPA document(s)? If the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

The Proposed Action was analyzed in the WRMP. The proposed project is within the analyzed area, on the Winters Ranch property. There are no substantial differences.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource values?

Under the WRMP, the goal of managing the property is to support and/or develop a resilient ecosystem that provides wildlife habitat, aesthetically pleasing open space and opportunities for environmental education and outreach. Noxious weed infestations negatively affect ecosystem and watershed health in general, including both uplands and riparian areas. The analyses in WRMP discussed activities to assist in restorative management practices.

3. Is the existing analysis valid in light of new information or circumstances (such as rangeland health standard assessment, recent endangered species listing, updated lists of BLM sensitive species)? Can you reasonably conclude the new information and new circumstances would not substantially change the analysis of the new Proposed Action?

The existing analysis in the WRMP is valid in light of the herbicide of choice for the Proposed Action, which is the same BLM approved chemical referred to in the WRMP for the treatment of tall whitetop in dry land or wetland environments. No new information nor circumstances are present to substantially change the analysis of the new Proposed Action. The project area is not within proposed critical habitat for the bi-state sage-grouse (*Centrocercus urophasianus*) or critical habitat for the Webber's Ivesia (*Ivesia webberi*).

4. Are the direct, indirect and cumulative effects that would result from implementation of the new Proposed Action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document(s)?

The direct, indirect and cumulative effects from implementation of the Proposed Action are similar to those analyzed in the WRMP: treat invasive weeds when they are at a manageable size, before they are a dominant species in an area. For example, treating a patch of tall whitetop the size of a bathtub is easier to implement than treating an acre of tall whitetop. Implementation will involve less exposure of the chemical, less labor, less time and fewer repeat treatments.

5. Are the public involvement and interagency review associated with the existing NEPA document(s) adequate for the new Proposed Action?

Public involvement and interagency review occurred during the WRMP preparation. The BLM sprayed for weeds, as well as hosted a public weed treatment day on Winters Ranch in 2011.

Note: refer to the NEPA document(s) for a complete list of team members that participated in the preparation of the original environmental analysis or planning document(s).

Conclusion: Based on the review documented above, I have concluded that this Proposed Action conforms to the LUP and that existing NEPA document(s) fully cover the Proposed Action and constitutes BLM's compliance with the requirements of the NEPA.

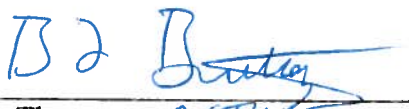
Decision: It is my decision to implement the Proposed Action as described in Question A.



Signature of Project Lead



Signature of NEPA Coordinator

 7/29/2014

Leon Thomas
Field Manager
Sierra Front Field Office

APPEAL PROCEDURES

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal must also be filed with the Bureau of Land Management at the following address:

Leon Thomas, Sierra Front Field Manager
BLM, Carson City District Office
5665 Morgan Mill Road
Carson City, NV 89701

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. Copies of the notice of appeal and petition for a stay must also be submitted to:

Board of Land Appeals
Dockets Attorney
801 N. Quincy Street, Suite 300
Arlington, VA 22203

A copy must also be sent to the appropriate office of the Solicitor at the same time the original documents are filed with the above office.

U.S. Department of the Interior
Office of the Regional Solicitor
Pacific Southwest Region
2800 Cottage Way, Room E-1712
Sacramento, CA 95825

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellants success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals, electronically filed appeals will therefore not be accepted.